

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 20331 of 2005

DATED: 29.09.2005

Between:

Smt. Gurram Satyalaxmi W/o. Late G. Nagesh @ Nagaiah
R/o. H.No.5-23/17, Sangeethnagar, Kukatpally Hyderabad

and others.

.....PETITIONERS

AND

Commissioner for Workmen Compensation for Labour
Twin cities at Hyderabad and others.

... RESPONDENTS

ORDER:

Petitioners are the legal heirs of late G.Nagesh alias Nagaiah, who died in a road accident while working as a Driver under the fourth respondent. Consequent to the death of G.Nagesh alias Nagaiah, the petitioners approached the Labour Court, which by an order dated 23.02.2001, granted compensation to the petitioners and directed the fourth respondent to pay the compensation to them. However, the fourth

respondent failed to pay the same. Aggrieved thereby, the petitioners moved an application before the first respondent. Thereafter, the first respondent directed the fourth respondent to pay the said amount within a period of 10 days. As the fourth respondent failed to comply the said direction, the first respondent, while exercising powers under Section 31 of the Workmen's Compensation Act, 1923, directed the second respondent to initiate recovery proceedings against the fourth respondent under the Andhra Pradesh Revenue Recovery Act, 1891 (for short "the Act"). In pursuance of the said direction, recovery proceedings were initiated against the fourth respondent, and the lorry of the fourth respondent bearing No. ATT 2662 was also seized on 24.04.2002. However, no action has been taken for conducting auction of the said lorry. Assailing the said inaction of respondents 1 to 3, this writ petition is filed.

A perusal of the material on record shows that vide proceedings dated 07.01.2002, the first respondent directed the second respondent to initiate recovery proceedings against the fourth respondent. Therefore, the second respondent has to take appropriate action.

In view of the above facts and circumstances of the case, I deem it appropriate to dispose of the writ petition directing the second respondent to take appropriate action for recovery of compensation from the fourth respondent in accordance with the Act.

With the above direction, the writ petition is disposed of. No costs.

29.09.2005

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